

Docket 041497-015

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

**IMMUNOASSAY FOR H. PYLORI IN FECAL SPECIMENS USING GENUS  
SPECIFIC MONOCLONAL ANTIBODY**

described and claimed

\_\_\_\_\_ in the attached specification;  
X in the specification filed May 18, 2000,  
as U.S. Application Serial No. 09/574,734  
and as amended \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Send Correspondence To:


Mark P. Levy  
Thompson Hine & Flory LLP  
2000 Courthouse Plaza NE  
P.O. Box 8801  
Dayton, Ohio 45401-8801

Direct Telephone Calls To:

Mark P. Levy  
(937) 443-6949

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first Inventor - Kenneth James Kozak

Inventor's Signature 

Date: 6-2-00

Residence: 1869 Muskegon Drive, Cincinnati, OH 45255

Citizenship : USA

Post Office Address: c/o Meridian Diagnostics, Inc.  
3471 River Hills Drive  
Cincinnati, Ohio 45244

136122

Submitted with Continuation  
Application of 09/574,734  
Kenneth James Kozak  
Immunoassay for H. Pylori...



015  
**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

AUGUST 20, 2001

PTAS

THOMPSON HINE & FLORY LLP  
MARK P. LEVY  
2000 COURTHOUSE PLAZA N.E.  
P.O. BOX 8801  
DAYTON, OHIO 45401-8801



\*101815477A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/19/2001

REEL/FRAME: 011874/0193  
NUMBER OF PAGES: 3

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MERIDIAN DIAGNOSTICS, INC.

DOC DATE: 01/24/2001

ASSIGNEE:

MERIDIAN BIOSCIENCE, INC.  
3471 RIVER HILLS DRIVE  
CINCINNATI, OHIO 45244

SERIAL NUMBER: 09500365  
PATENT NUMBER:

FILING DATE: 02/08/2000  
ISSUE DATE:

SERIAL NUMBER: 09262903  
PATENT NUMBER:

FILING DATE: 03/05/1999  
ISSUE DATE:

SERIAL NUMBER: 09728279  
PATENT NUMBER:

FILING DATE: 12/01/2000  
ISSUE DATE:

SERIAL NUMBER: 09574734  
PATENT NUMBER:

FILING DATE: 05/18/2000  
ISSUE DATE:

RECEIVED

AUG 27 2001

INTELLECTUAL PROPERTY  
LAW GROUP  
THOMPSON HINE LLP

011874/0193 PAGE 2

SERIAL NUMBER: 09037894  
PATENT NUMBER: 5932430

FILING DATE: 03/10/1998  
ISSUE DATE: 08/03/1999

SERIAL NUMBER: 08897732  
PATENT NUMBER: 5871942

FILING DATE: 07/21/1997  
ISSUE DATE: 02/16/1999

SERIAL NUMBER: 08647115  
PATENT NUMBER: 5716791

FILING DATE: 05/09/1996  
ISSUE DATE: 02/10/1998

SERIAL NUMBER: 08611388  
PATENT NUMBER: 5874315

FILING DATE: 03/05/1996  
ISSUE DATE: 02/23/1999

SERIAL NUMBER: 08689235  
PATENT NUMBER: 5753444

FILING DATE: 08/07/1996  
ISSUE DATE: 05/19/1998

SERIAL NUMBER: 08689236  
PATENT NUMBER: 5738995

FILING DATE: 08/07/1996  
ISSUE DATE: 04/14/1998

SERIAL NUMBER: 08925444  
PATENT NUMBER: 5861256

FILING DATE: 09/08/1997  
ISSUE DATE: 01/19/1999

SERIAL NUMBER: 08692725  
PATENT NUMBER: 5756701

FILING DATE: 08/06/1996  
ISSUE DATE: 05/26/1998

SERIAL NUMBER: 08692726  
PATENT NUMBER: 5846783

FILING DATE: 08/06/1996  
ISSUE DATE: 12/08/1998

SERIAL NUMBER: 08613805  
PATENT NUMBER: 5723294

FILING DATE: 03/05/1996  
ISSUE DATE: 03/03/1998

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

08-17-2001



101815477

Attorney Docket No. 041497-004

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Meridian Diagnostics, Inc.

Original name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## Nature of conveyance:

☐ Assignment ☐ Merger  
☐ Security Agreement ☒ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: January 24, 2001

## 2. Name and address of receiving party(ies)

Name: Meridian Bioscience, Inc.

Internal Address: \_\_\_\_\_

Street Address: 3471 River Hills Drive

City: Cincinnati State: Ohio ZIP: 45244

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

See attached Exhibit "A"

## B. Patent No.(s)

See attached Exhibit "A"

Additional numbers attached? ☒ Yes ☐ No

## 3. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark P. Levy

Internal Address: Thompson Hine &amp; Flory LLP

Street Address: 2000 Courthouse Plaza N.E.

P.O. Box 8801

City: Dayton State: Ohio ZIP: 45401-8801

## 6. Total number of applications and patents involved: 14

7. Total fee (37 CFR 3.41) \$ 560.00

☒ Enclosed☐ Authorized to be charged to deposit account

## 8. Deposit account number:

20-0809

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mark P. Levy

Name of Person Signing

Signature

Total number of pages including cover sheet, attachments, and document: 3

Date

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box 1000, Washington, DC 20540RECEIVED OPR  
2001 AUG 16 AM 6:02  
ASSIGNMENTS DIV

FEE OK

ENCLOSED

3-16-01

Records of 3/19/01  
3/19/01

**EXHIBIT "A"****Change of Name from Meridian Diagnostics, Inc. to Meridian Bioscience, Inc.****U.S. Patent Application No.    Filing Date**

09/500,365	02/08/2000
09/262,903	03/05/1999
09/728,279	12/01/2000
09/574,734	05/18/2000

**U.S. Patent No.                      Issue Date**

5,932,430	08/03/1999
5,871,942	02/16/1999
5,716,791	02/10/1998
5,874,315	02/23/1999
5,753,444	05/19/1998
5,738,995	04/14/1998
5,861,256	01/19/1999
5,756,701	05/26/1998
5,846,783	12/08/1998
5,723,294	03/03/1998

UNITED STATES OF AMERICA,  
STATE OF OHIO,  
OFFICE OF THE SECRETARY OF STATE.

}

*I, J. Kenneth Blackwell, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign corporations; that said records show Certificate of Amendment to the ARTICLES OF INCORPORATION of MERIDIAN DIAGNOSTICS, INC., an Ohio corporation, Charter No. 483376, changing its Corporate title to: MERIDIAN BIOSCIENCE, INC., was filed in this office on January 24, 2001, recorded on DIN# 200105401712 of the Records of Incorporation. Said corporation, MERIDIAN BIOSCIENCE, INC., an Ohio corporation, Charter No. 483376, having its principal location in Cincinnati, County of Hamilton was incorporated on June 25, 1976 and is currently in GOOD STANDING upon the records of this office.*



WITNESS my hand and official seal

at Columbus, Ohio on

April 3, 2001

*J. Kenneth Blackwell*

J. Kenneth Blackwell  
Secretary of State



BRUSSELS

CINCINNATI

CLEVELAND

COLUMBUS

DAYTON

WASHINGTON, D.C.

**FAX COVER PAGE**

PAGES: 4 including cover

DATE: August 15, 2001

FROM: Julie K. Waggoner

TO: Regina White  
USPTO Assignment Division

FAX: 1-703-308-7124

PHONE:

Attached is a copy of the Recordation Form Cover Sheet dated March 16, 2001 with Exhibit "A" containing list of 14 patent properties, and a copy of the Certificate from the Secretary of State of Ohio for the name change from Meridian Diagnostics, Inc. to Meridian Bioscience, Inc. We filed this document with the USPTO Assignment Division, and the fee of \$560.00 was posted on March 19, 2001 under USSN 09/500,365, however, the recordation process was not completed. Please proceed to record this document and send the Notice of Recordation as soon as possible. If you have any questions, please contact me at 937-331-6022.

PROBLEMS WITH TRANSMISSION? CALL JULIE WAGGONER AT 937-331-6022.

01360.041487.00004 207972.1

CONFIDENTIALITY NOTICE: THE INFORMATION IN THIS TRANSMITTAL IS CONFIDENTIAL AND INTENDED ONLY FOR THE RECIPIENT LISTED ABOVE. IF YOU ARE NEITHER THE INTENDED RECIPIENT NOR A PERSON RESPONSIBLE FOR DELIVERING THIS TRANSMITTAL TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISTRIBUTION OR COPYING OF THIS TRANSMITTAL IS PROHIBITED. IF YOU RECEIVED THIS TRANSMITTAL IN ERROR, PLEASE IMMEDIATELY NOTIFY US AND RETURN THE TRANSMITTAL TO US AT OUR EXPENSE.

THOMPSON HINE LLP

2000 Courthouse Plaza, N.E.  
10 West Second Street  
Dayton, Ohio 45402-1758Julie.Waggoner@ThompsonHine.com  
Fax 937.443.6637  
Phone 937.331.6022



Submitted with Continuation  
Application of 09/574,734  
Kenneth James Kozak  
Immunoassay for H. Pylori ...



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JUNE 06, 2001

PTAS

THOMPSON HINE & FLORY LLP  
MARK P. LEVY  
2000 COURTHOUSE PLAZA, NE  
P OBOX 8801  
DAYTON, OHIO 45401-8801



\*101667446A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 03/19/2001

REEL/FRAME: 011627/0509  
NUMBER OF PAGES: 7

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MERIDIAN DIAGNOSTICS, INC

DOC DATE: 03/16/2001

RECEIVED

ASSIGNEE:

MERIDIAN BIOSCIENCE, INC  
3471 RIVER HILLS DRIVE  
CINCINNATI, OHIO 45244

JUN 11 2001

INTELLECTUAL PROPERTY D

SERIAL NUMBER: 09500365  
PATENT NUMBER:

09-4997-0000

FILING DATE: 02/08/2000  
ISSUE DATE:

SERIAL NUMBER: 09262903  
PATENT NUMBER:

-001

FILING DATE: 03/05/1999  
ISSUE DATE:

SERIAL NUMBER: 09728279  
PATENT NUMBER:

0014

FILING DATE: 12/01/2000  
ISSUE DATE:

SERIAL NUMBER: 09574734  
PATENT NUMBER:

0015

FILING DATE: 05/18/2000  
ISSUE DATE:

011627/0509 PAGE 2

SERIAL NUMBER: 09037894	-006 C2	FILING DATE: 03/10/1998
PATENT NUMBER: 5932430		ISSUE DATE: 08/03/1999
SERIAL NUMBER: 08897732	-006 C1	FILING DATE: 07/21/1997
PATENT NUMBER: 5871942		ISSUE DATE: 02/16/1999
SERIAL NUMBER: 08647115	-006	FILING DATE: 05/09/1996
PATENT NUMBER: 5716791		ISSUE DATE: 02/10/1998
SERIAL NUMBER: 08611388	-009	FILING DATE: 03/05/1996
PATENT NUMBER: 5874315		ISSUE DATE: 02/23/1999
SERIAL NUMBER: 08689235	-018 D3	FILING DATE: 08/07/1996
PATENT NUMBER: 5753444		ISSUE DATE: 05/19/1998
SERIAL NUMBER: 08689236	-018 D2	FILING DATE: 08/07/1996
PATENT NUMBER: 5738995		ISSUE DATE: 04/14/1998
SERIAL NUMBER: 08925444	-018 C1	FILING DATE: 09/08/1997
PATENT NUMBER: 5861256		ISSUE DATE: 01/19/1999
SERIAL NUMBER:	-000 D1	FILING DATE:
PATENT NUMBER: 2756701.		ISSUE DATE:
SERIAL NUMBER: 08692726	→	FILING DATE: 08/06/1996
PATENT NUMBER: 5846783		ISSUE DATE: 12/08/1998
SERIAL NUMBER: 08613805	-000	FILING DATE: 03/05/1996
PATENT NUMBER: 5723294		ISSUE DATE: 03/03/1998

JOANN STEWART, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

04-04-2001

ey Docket No. 041497-004

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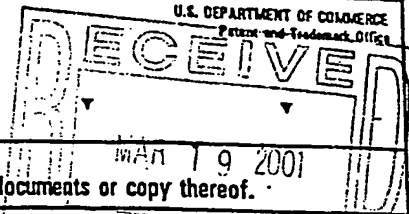
RE



101667446

0851-0011 (exp. 4/04)

3-19-01



To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Meridian Diagnostics, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

Nature of conveyance:

☐ Assignment ☐ Merger  
☐ Security Agreement ☒ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: \_\_\_\_\_

2. Name and address of receiving party(ies)

Name: Meridian Bioscience, Inc.

Internal Address: \_\_\_\_\_

Street Address: 3471 River Hills Drive

City: Cincinnati State: Ohio ZIP: 45244

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

See attached Exhibit "A"

B. Patent No.(s)

See attached Exhibit "A"

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark P. Levy

Internal Address: Thompson Hine & Flory LLP

Street Address: 2000 Courthouse Plaza N.E.

P.O. Box 8801

City: Dayton State: Ohio ZIP: 45401-8801

6. Total number of applications and patents involved: 14

7. Total fee (37 CFR 3.41) \$ 560.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

20-0809

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and attached copy is a true copy of the original document.

Mark P. Levy

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 8

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments

560.00 OP

4/04/2001 GT011 0000055 09500365

FC:581

**EXHIBIT "A"**

**Change of Name from Meridian Diagnostics, Inc. to Meridian Bioscience, Inc.**

**U.S. Patent Application No.**    **Filing Date**

09/500,365	02/08/2000
09/262,903	03/05/1999
09/728,279	12/01/2000
09/574,734	05/18/2000

**U.S. Patent No.**                      **Issue Date**

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5,871,942	02/16/1999
5,716,791	02/10/1998
5,874,315	02/23/1999
5,753,444	05/19/1998
5,738,995	04/14/1998
5,861,256	01/19/1999
5,756,701	05/26/1998
5,846,783	12/08/1998
5,723,294	03/03/1998

**MINUTES OF THE  
ANNUAL MEETING OF THE SHAREHOLDERS  
OF MERIDIAN DIAGNOSTICS, INC.**

The Annual Meeting of Shareholders of Meridian Diagnostics, Inc. was held at 3:00 p.m. on January 23, 2001 at The Phoenix, 812 Race Street, Cincinnati, Ohio. The meeting was held pursuant to notice to all Shareholders as verified in an Affidavit supplied by The Fifth Third Bank, the Company's transfer agent.

Mr. William J. Motto served as Chairman and Mr. Gary P. Kreider as Secretary of the meeting. Mr. Motto appointed Tanya Perry of The Fifth Third Bank as the Inspector of Election.

The first order of business was the reading of the minutes of the previous meeting. Upon motion duly made and seconded, and by unanimous voice vote, reading of the minutes of the previous meeting of shareholders was dispensed.

The next order of business was the election of directors. The following six individuals were nominated as Directors:

James A. Buzard  
John A. Kraeutler  
Gary P. Kreider  
William J. Motto  
David C. Phillips  
Robert J. Ready

No other nominations were received. Upon confirmation from the Inspector of Election that each candidate received sufficient votes, the Chairman declared the six nominees elected.

The next order of business was the approval of an amendment to the Company's Articles of Incorporation to change the Company's name to "Meridian Bioscience, Inc." from "Meridian Diagnostics, Inc." Upon motion duly made and seconded, the following amendment to the first Article of the Company's Articles of Incorporation was adopted by the vote stated in the report of the Inspector of Elections:

**FIRST:** The name of the Corporation is Meridian Bioscience, Inc.

The next order of business was the approval of amending and restating the Company's 1996 Stock Option Plan to provide 500,000 additional shares available for issuance. Upon motion duly made and seconded, the following resolution was adopted by the vote stated in the report of the Inspector of Elections:

**RESOLVED:** That the shareholders of Meridian Diagnostics, Inc. approve the amendment and restatement of the Company's 1996 Stock Option Plan to make an additional 500,000 shares available for issuance.

The final order of business was the ratification of Arthur Andersen LLP as independent public accounts for fiscal 2001. The Chairman introduced Brian Carley and Larry Baker representatives of Arthur Andersen LLP, who were available to answer shareholder questions. Upon motion duly made and seconded, the following resolution was adopted by the vote stated in the report of the Inspector of Elections:

RESOLVED: That the shareholders of Meridian Diagnostics, Inc. ratify the selection by the Board of Directors of Arthur Andersen LLP as independent public accountants for Meridian Diagnostics, Inc. for fiscal year 2001.

There being no further business, to come before the meeting, the same was, upon motion duly made and seconded, and by unanimous voice vote, adjourned.

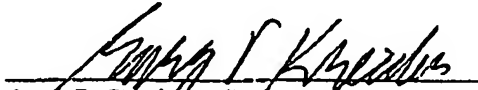
  
\_\_\_\_\_  
Gary P. Kreider, Secretary

Exhibit A

AMENDED ARTICLES OF INCORPORATION  
OF  
MERIDIAN BIOSCIENCE, INC.

MERIDIAN BIOSCIENCE, INC. hereby adopts the following Amended Articles of Incorporation to supersede and take the place of the existing Amended Articles of Incorporation and all Amendments thereto:

- FIRST. The name of the Corporation is Meridian Bioscience, Inc.
- SECOND. The place in Ohio where its principal office is to be located is 3467 Riverhills Drive, Cincinnati, Hamilton County, Ohio 45244.
- THIRD. The purpose for which the Corporation is organized shall be:
- To develop, manufacture and sell medical diagnostic products and to do any other lawful act or acts for which corporations may be formed under Sections 1701.01 to 1701.98, inclusive, of the Ohio Revised Code.
- FOURTH. The maximum number of shares which the Corporation is authorized to have outstanding is:

- A. 50,000,000 shares of Common Stock, without par value and
- B. 1,000,000 shares of Preferred Stock, without par value.

The holders of the Preferred Stock shall be entitled to receive dividends out of any funds of the Corporation at the time legally available for dividends when and as declared by the Board of Directors at such rate as shall be fixed by the Board of Directors before any sum shall be set apart or applied to the redemption or purchase of or any dividends shall be declared or paid upon or set apart for any class or series of Common Stock. In the event of any liquidation, dissolution or winding up of the Corporation, the holders of Preferred Stock shall be entitled to receive out of the assets of the Corporation payment of an amount per share as determined by the Board of Directors as a liquidation price (including accrued dividends, if any) before any distribution of assets shall be made to the holders of any class or series of Common Stock.

The Board of Directors shall have the express authority from time to time to adopt amendments to these Articles of Incorporation with respect to any unissued or treasury shares of Preferred Stock and thereby to fix or change the division of such shares into series and the designation and authorized number of shares of each series and to provide for each such series: voting powers, full or limited or no voting powers; dividend rates; dates of payment of dividends; dates from which dividends are cumulative; liquidation prices; redemption rights and

prices; sinking fund requirements; conversion rights; restrictions on the issuance of shares of other series of Preferred Stock; and such other designations, preferences and relative participating options or other special rights and qualifications, powers, limitations or restrictions thereon as may be determined by the Board of Directors.

FIFTH. No holder of any shares of this Corporation shall have any preemptive rights to subscribe for or to purchase any shares of this Corporation of any class whether such shares or such class be now or hereafter authorized or to purchase or subscribe for securities convertible into or exchangeable for shares of any class or to which shall be attached or appertained any warrants or rights entitling the holder thereof to purchase or subscribe for shares of any class.

SIXTH. This Corporation, through its Board of Directors, shall have the right and power to purchase any of its outstanding shares at such price and upon such terms as may be agreed upon between the Corporation and any selling shareholder.

SEVENTH. The provisions of Ohio Revised Code Section 1701.211 relating to control share acquisitions shall not be applicable to this Corporation.

1299181



**CERTIFICATE OF AMENDED ARTICLES OF INCORPORATION  
ADOPTED BY THE BOARD OF DIRECTORS OF  
MERIDIAN BIOSCIENCE, INC.**

John A. Kraeutler, President, of MERIDIAN BIOSCIENCE, INC., an Ohio corporation for profit with its principal place of business located at 3471 River Hills Drive, Cincinnati, Hamilton County, Ohio, does hereby certify that at a meeting of the Board of Directors called for the purpose of adopting the Amended Articles of Incorporation attached as Exhibit A and held on January 23, 2001, the following resolution to adopt the attached Amended Articles of Incorporation was adopted by the Board of Directors in order to consolidate the existing Amended Articles of Incorporation with all amendments therein:

**RESOLVED:** That the Amended Articles of Incorporation attached herewith as Exhibit A be adopted by the corporation and supersede and take the place of the existing Amended Articles of Incorporation and all amendments thereto.

IN WITNESS WHEREOF, the above named officer, acting for and on behalf of the corporation, has hereunto subscribed his name this 23rd day of January, 2001.

  
John A. Kraeutler, President

01/24/01

Serial No. 09/574,734

Filed: May 18, 2000


### ASSIGNMENT

WHEREAS, Kenneth James Kozak, of the City of Cincinnati and State of Ohio, County of , and State of , invented certain new and useful **IMMUNOASSAY FOR H. PYLORI IN FECAL SPECIMENS USING GENUS SPECIFIC MONOCLONAL ANTIBODY** (Docket No. 041497-015) for which I/we executed an application for letters patent of the United States;

AND WHEREAS, Meridian Diagnostics, Inc., a corporation of the State of Ohio, with a place of business at 3471 River Hills Drive, Cincinnati, Ohio, hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said application and the inventions therein disclosed and any letters patent that may issue thereon;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt whereof is hereby acknowledged, I/we hereby sell, assign and transfer unto said Assignee, its successors and assigns, the entire right, title and interest in and to said application and any divisions or continuations thereof, and the inventions therein disclosed, and any improvements thereon, and any patent or patents that may be issued or reissued thereon, and I/we hereby authorize and request the Commissioner of Patents and Trademarks to issue any letters patent thereon, and reissues thereof, to said Assignee, its successors and assigns; and I/we hereby authorize said Assignee, its successors and assigns, to file in its own name applications for patent in foreign countries in connection with the inventions hereby transferred, under the International Convention claiming the priority of said United States application or otherwise, and to secure in its own name the patent or patents issued thereon; and I/we hereby agree that, upon request, I/we will sign all papers, and make all rightful oaths, and do all acts which said Assignee, its successors or assigns, may consider necessary in connection with said United States application, and in connection with any other United States or foreign applications that may be filed in connection with said inventions, and with any improvements thereon, and in connection with any patents issued or reissued thereon.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 2 day of June, 2000.

  
Kenneth James Kozak

STATE OF Ohio )  
COUNTY OF Hamilton ) ss

On this 2 day of June, 2000,  
before me a Notary Public in and for the above County and State, personally appeared the above named **Kenneth James Kozak**, personally known to me, and acknowledged the execution of the foregoing assignment as a free act and deed for the purpose herein set forth.

  
Notary Public

BEVERLY REEVES RUFENER  
Notary Public, State of Ohio  
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**DATE** August 7, 2000

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Inventor(s) Kenneth James Kozak

Title IMMUNOASSAY FOR H. PYLORI IN FECAL SPECIMENS USING  
GENUS SPECIFIC MONOCLONAL ANTIBODY

Serial No. 09/574,734

Docket No. 041497-015

Date Due \_\_\_\_\_

Client Name Meridian Diagnostics, Inc.  
MPL/skm

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FORM # 107

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Submitted with Continuation  
Application of 09/574,734  
Kenneth James Kozak  
Immunoassay for H. Pylori ...

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicants: KOZAK, Kenneth James : Paper No:  
Serial No. 09/574,734 : Group Art Unit: 1645  
Filed: May 18, 2000 : Examiner: V. Portner  
For: IMMUNOASSAY FOR H. PYLORI IN FECAL SPECIMENS USING GENUS  
SPECIFIC MONOCLONAL ANTIBODY

**TRANSMITTAL OF REVOCATION AND NEW APPOINTMENT BY ASSIGNEE**

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Dear Sir:

Enclosed herewith is a Revocation and New Appointment by Applicant executed by the applicant  
in above-identified application.

Please address all future communications to:

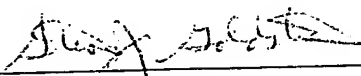
Steven J. Goldstein  
FROST BROWN TODD LLC  
2200 PNC Center  
201 East Fifth Street  
Cincinnati, Ohio 45202

Please direct all telephone calls to me as follows:

(513) 651-6131

Respectfully submitted,

Kenneth James Kozak

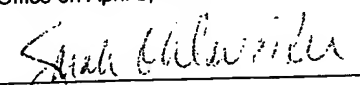
By 

Steven J. Goldstein  
Registration No. 28,079  
Attorney for Applicant(s)

FROST BROWN TODD LLC  
2200 PNC Center  
201 East Fifth Street  
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Safah Ohlweiler

**PATENT**  
Atty. Docket: 100736/0504851

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SPECIFIC MONOCLONAL ANTIBODY

**REVOCATION AND NEW APPOINTMENT BY APPLICANT**

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Dear Sir:

The undersigned hereby revokes all former Powers of Attorney and appoints Steven J. Goldstein, Registration No. 28,079; Edwin R. Acheson, Jr., Registration No. 31,808; Stephen R. Albainy-Jenei, Registration No. 41,487; David E. Franklin, Registration No. 39,194; William E. Gallagher, Registration No. 35,145; James M. Kipling, Registration No. 26,287; Ann G. Robinson, Registration No. 39,820; Ria Farrell Schalnat, Registration No. 47,058; David E. Schmit, Registration No. 28,472; Karlyn A. Schnapp, Registration No. 45,558; Ralph J. Skinkiss, Registration No. 26,105; and Kevin S. Sprecher, Registration No. 42,165; c/o Frost Brown Todd LLC, 2200 PNC Center, 201 East Fifth Street, Cincinnati, Ohio 45202 (513) 651-6800, attorneys, with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent Office connected therewith.

KENNETH JAMES KOZAK

Date 4-5-02

By: 

Kenneth James Kozak

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